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FRANK C. NICHOLAS (33,983)

Name of applicant, assignor or registered representative

Frank C. Nicholas
Signature

August 12, 2004

Date of Signature

PATENT
Case No. CML00826T
(9640/127)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

STEVEN M. SCHEIFERS, ET AL.)

Serial No.: 10/631,374)

Filed: JULY 31, 2003)

For: METHOD AND CHEMISTRY FOR)
AUTOMATIC SELF-JOINING)
OF FAILURES IN POLYMERS)

Examiner: Asinovsky, O.

Group Art Unit: 1711

RESPONSE TO OFFICE ACTION DATED MAY 20, 2004

Mail Stop Non-Fee Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated May 20, 2004, please consider the
following:

August 12, 2004
Case No.: CML00826T (9640/127)
Serial No.: 10/631,374
Filed: July 31, 2003
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INTRODUCTORY COMMENTS

The present amendment replies to a non-final Office Action dated May 20, 2004. Claims 1 - 22 are currently pending in the present application. Claims 8 - 22 have been withdrawn and claims 23 - 34 added.

In the Office Action, Examiner Asinovsky asserted the following rejections of pending claims 1 - 7:

A. Election/Restriction

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1 - 7, drawn to a self-joining polymer composition, classified in class 523, subclass 200 and 201.

II. Claims 8 - 9 and 10 - 15, drawn to a method of using a self-joining polymer composition for healing a failure in a composite member, classified in class 523, subclass 200 and class 428, subclass 402.2.

III. Claims 16 - 18 and 19 - 22, drawn to an electronic package composition, classified in class 428, subclass 620.

2. Inventions of Group I and Group II are related as product and process of user.

3. Inventions of Group I and Group III are related as mutually exclusive species in an intermediate-final product relationship.

4. Inventions of Group II and Group III are related as subcombinations disclosed as usable together in a single combination.

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5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes is proper.

6. During a telephone conversation with Frank Nicholas on May 14, 2004 a provisional election was made without traverse to prosecute the invention of Group I, claims 1 - 7.

B. Claims 1 - 7 are under 35 U.S.C. 103(a) as being unpatentable over White et al. U.S. Patent 6,518,330 or Guilbert et al. U.S. Patent 6,075,072, each in view of Arfaei U.S. Patent 4,960,465 or Aharoni U.S. Patent 5,326,830.

C. New claims 23 to 34 are patentable over the cited art.

Applicants respectfully request reconsideration and further examination of the present application under 37 CFR §1.112.



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Date: AUGUST 12, 2004

To: EXAMINER ASINOVSKY, O.
U.S. PATENT AND TRADEMARK OFFICE

Fax #: (703) 872-9310

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Phone #: (847) 424-2521

Client/Matter No.: CML00826T (9640/127)

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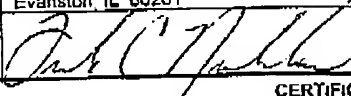
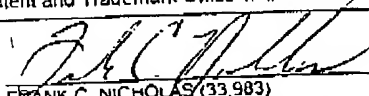
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Attorney Docket No.	CML00826T (9640/127)
	Application Number	10/631,374
	Filing Date	JULY 31, 2003
	First Named Inventor	STEVEN M. SCHEIFERS
	Group Art Unit	1711
	Examiner	ASINOVSKY, O

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Response to Office Action Dated May 30, 2004 <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Status Letter <input type="checkbox"/> Extension of Time Request (duplic) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement, PTO-1449, an <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Assignment Papers <input type="checkbox"/> Drawings: <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Petition Rounding Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Change of Correspondence <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request of Refund	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Post Card Receipt <input type="checkbox"/> Additional Enclosure(s) (please identify below). <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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Incep		Minus			x \$43=	0		x \$86=	\$0
First Presentation of Multiple Dep. Claim					+ \$145=	—		+ \$290=	
					total small fee		\$ 0	total add'l fee	
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	FRANK C. NICHOLAS Registration No. 33,983 Cardinal Law Group 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201		
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Signature			Date: <u>AUGUST 12, 2004</u>
FRANK C. NICHOLAS (33,983)			